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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,033	03/10/2004	Shin Yasuda	119038	2178
25944	7590	06/29/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			ASSAF, FAYEZ G	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/796,033	Applicant(s) YASUDA ET AL.	
	Examiner Fayez G. Assaf	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2005.  
2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.  
4a) Of the above claim(s) 17-32, 67, 68, 73 and 74 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-4, 10-16, 33-36 and 42-52, 58-66, 69-72 is/are rejected.  
7) ☒ Claim(s) 5-9, 37-41 and 53-57 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/10/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Election/Restrictions***

Applicant's election without traverse of Species I: claims 1-16, 33-66 and 69-72 in the reply filed on 4/13/2005 is acknowledged.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 10-16, 33-35, 42-51, 58-66 and 69-72 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawano et al. (US 2001/0002895 A1).

Regarding claims 1, 33, 49, 65, 66, 69, 70, 72 and 74 Kawano discloses a holographic recording method comprising: simultaneously irradiating a signal light beam (1 of Fig. 19) and a reference light beam (2 of Fig. 19) onto an optical recording medium (10 of Fig. 19) while an angle formed between the signal light beam and the reference light beam is set

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constant; and recording information of the signal light beam in the optical recording medium as a plurality of pages of holograms, by changing a recording position while relatively shifting at least one of (A) the signal light beam and the reference light beam, and (B) the optical recording medium (paragraph [0143]), wherein page data is multiple-recorded for each predetermined unit (i.e. rewritable data hologram).

Regarding claims 2, 34, 50, 51 and 71, Kawano discloses the page data in the predetermined unit being a page data that constitutes one file (i.e. 2-dimensional array of data).

Regarding claim 3, 35, Kawano discloses the information making the file corresponding to a recording area (i.e. due to shift multiplexing), in which the file is recorded.

Regarding claims 10, 42 and 58, Kawano discloses the polarization direction of the signal light beam being set parallel to a polarization direction of the reference light beam (claim 11).

Regarding claim 11, 12, 43, 44, 59 and 60, Kawano discloses the polarization direction of the signal light beam being set orthogonal to a polarization direction of the reference light beam (claim 12).

Regarding claim 13-16, 45-48 and 61-64, Kawano discloses the optical recording medium includes at least one type of

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polymer includes an azobenzene structure in a side chain  
(paragraph [0138]).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which  
forms the basis for all obviousness rejections set forth in this  
Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 36 and 52 are rejected under 35 U.S.C. 103(a) as  
being unpatentable over Kawano et al.

Kawano discloses the claimed invention except for the page  
data that represents head information being added to a front/end  
page of the file.

However, such referencing is well known in multiple  
hologram recording.

It would have been obvious, at the time the invention was  
made, to a person having ordinary skill in the art to add head  
information in order to ease file searching/classifying.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wilson et al. (US 2004/0027629 A1)

King et al. (US 6,721,076 B2)

### ***Allowable Subject Matter***

Claims 5-9, 37-41 and 53-57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 5-9 and 37-41 and 53-57 are allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest when the page data included in the one file is divided to a plurality of blocks and the plurality of blocks are recorded, the page data in the predetermined unit is page data that constitutes one block of the plurality of blocks as set forth in the claimed combination.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye G. Assaf whose telephone number is (571) 272-2307. The examiner can normally be reached on 8-5 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Fayez G. Assaf  
Primary Examiner  
Art Unit 2872

6/26/2005